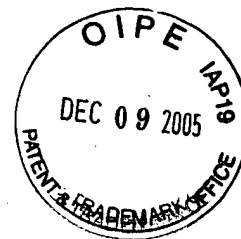


IFW

Applicant's Docket No. 19400/09003DIV

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Deborah A. Schade, Kimberly L. Merkel and James W. Hansen

Application No.: 10/714,268

Group No.: 1617

Filed: 11/14/2003

Examiner: Shengjun Wang

For: USE OF DOCOSAHEXAENOIC ACID AND ARACHIDONIC ACID ENHANCING THE GROWTH OF PRETERM INFANTS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence, comprising:

1. Amendment Transmittal (2 pages)
2. Preliminary Amendment (5 pages)
3. Return Postcard (1 page)

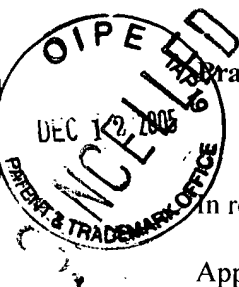
is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Mail Stop Amendment  
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on Dec. 7, 2005.

Debra Dunn-Brown

Signature of person mailing paper



Practitioner's Docket No. 19400/09003DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Deborah A. Schade, Kimberly L. Merkel and James W. Hansen

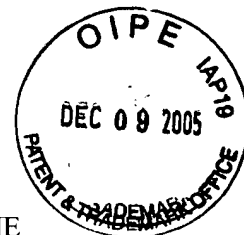
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Debra Dunn-Brown  
Signature

Date: 12/7/05

Debra Dunn-Brown  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	7	- 20	= 0	x	\$ 50.00	= \$	0.00
INDEP.	1	- 4	= 0	x	\$ 200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
					TOTAL ADDIT. FEE	\$	0.00

No additional fee for claims is required.

### FEE DEFICIENCY

5. If an additional fee for claims is required, charge Account No. 50-2548.

Date: 12-7-05

Reg. No.: 56,508  
Tel. No.: 864-250-2292  
Customer No.: 45845

Nichole Andrighetti  
Signature of Practitioner  
Nichole Andrighetti  
Nelson Mullins Riley & Scarborough, LLP  
Meridian, Suite 1700  
1320 Main Street  
Columbia, SC 29201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schade, Deborah A. *et al.* )

Group Art Unit: 1617

Serial No.: 10/714,268 )

Examiner: Shengjun Wang

Filed: November 14, 2003 )

Deposit Account: 50-2548

For: Use of Docosahexaenoic Acid )  
and Arachidonic Acid Enhancing )  
The Growth of Preterm Infants )

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

This Preliminary Amendment is filed prior to the receipt of an Office Action on the merits. It is respectfully requested that the claims be amended as set forth below, and that the claims be examined and be found to be allowable. This Amendment is being deposited as First Class Mail on the date noted on the accompanying Certificate of Mailing.